

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA



CHARLES L. NAIL, JR.
BANKRUPTCY JUDGE

FEDERAL BUILDING AND UNITED STATES POST OFFICE
225 SOUTH PIERRE STREET, ROOM 211
PIERRE, SOUTH DAKOTA 57501-2463

TELEPHONE: (605) 224-0560
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April 10, 2007

Terry J. Sutton, Esq.
Attorney for Debtor
Post Office Box 1053
Watertown, South Dakota 57201

First Bank & Trust
Attn: Dorrie DeGraaff
Post Office Box 5057
Brookings, South Dakota 57006

Subject: ***In re Wade T. Rudebusch***
Chapter 13; Bankr. No. 06-10071

Dear Mr. Sutton and Ms. DeGraaff:

The matter before the Court is the Application for Compensation and Reimbursement for Expenses filed by Attorney Terry J. Sutton on March 7, 2007. This is a core proceeding under 28 U.S.C. § 157(b)(2). This letter decision and subsequent order shall constitute the Court's findings and conclusions under Fed.Rs.Bankr.P. 7052 and 9014. As set forth below, Attorney Sutton's application will be approved.

First Bank & Trust was the only creditor or other party in interest to object to Attorney Sutton's application. The sum and substance of First Bank & Trust's objection was it did not feel it was obligated to pay the attorney fees, sales tax, and reimbursement of expenses requested by Attorney Sutton. First Bank & Trust is not obligated to do so. Debtor will pay any attorney fees, sales tax, and reimbursement of expenses approved by the Court according to the terms of his confirmed chapter 13 plan.

There being no other objections to Attorney Sutton's application, Attorney Sutton will be awarded \$1,515.00 as compensation for services, \$81.90 for sales tax thereon, and \$379.80 for reimbursement of expenses, for a total award of \$1,976.70.

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From this total, Attorney Sutton's \$750.00 retainer shall be deducted. The balance of \$1,226.70 shall be paid by Chapter 13 Trustee Dale A. Wein pursuant to the terms of Debtor's confirmed plan. The Court will enter an appropriate order.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles L. Nail, Jr.", is positioned above the printed name.

Charles L. Nail, Jr.
Bankruptcy Judge

CLN:sh

CC: case file (docket original; serve copies on parties in interest)

**On the above date, a copy of this document
was mailed or faxed to the parties shown on
the attached Service List.**

**Frederick M. Entwistle
Clerk, U.S. Bankruptcy Court
District of South Dakota**

**NOTICE OF ENTRY
Under Fed.R.Bankr.P. 9022(a)**

**This order/judgment was entered
on the date shown above.**

**Frederick M. Entwistle
Clerk, U.S. Bankruptcy Court
District of South Dakota**

Wade T. Rudebusch
410 8th Ave NE
Watertown, SD 57201

Terry J. Sutton
PO Box 1053
Watertown, SD 57201-6053

Dale A. Wein
Bankruptcy Trustee
PO Box 1329
Aberdeen, SD 57402-1329

First Bank & Trust
Attn: Dorrie DeGraaff
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Brookings, SD 57006

Bruce J. Gering
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230 S Phillips Ave, Suite 502
Sioux Falls, SD 57104-6321